

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LEXINGTON INSURANCE CO., as  
subrogee of the Confederated Tribes of  
Colville,

Plaintiff,

v.

ANASTACIA K. TARBUSH; DUSTY  
R. AUBERTIN; MARIO A.  
CLEVELAND; ELI W.  
PALMANTEER, and DOES 1-3,

Defendants.

NO: CV-11-267-RMP

ORDER OF DISMISSAL

BEFORE the Court are Plaintiff's Stipulation of Dismissal, **ECF No. 14**,  
and Notice of Voluntary Dismissal without Prejudice of Defendants Dusty R.  
Aubertin, Mario A. Cleveland, and Eli W. Palmanteer, ECF No. 15. Having  
reviewed said documents and the file and pleadings therein, the Court finds good  
cause to approve the notice and the stipulation. Accordingly,

**IT IS HEREBY ORDERED:**

1. Plaintiff's Stipulation of Dismissal, **ECF No. 14**, is **APPROVED**.

Plaintiff's Complaint and any and all counterclaims and/or cross-claims are dismissed **with** prejudice and without costs regarding defendant Tarbush **ONLY**.

2. Plaintiff's Notice of Voluntary Dismissal, **ECF No. 15**, is **APPROVED**.

Plaintiff's Complaint and any and all counterclaims and/or cross-claims are dismissed **without** prejudice and without costs regarding defendants Aubertin, Cleveland, and Palmanteer **ONLY**.

3. All pending motions, if any, are **DENIED AS MOOT**.

4. All scheduled court hearings, if any, are **STRICKEN**.

The District Court Executive is directed to enter this Order, provide copies to counsel, and **CLOSE** this file.

**DATED** this 4th day of January, 2012.

s/ Rosanna Malouf Peterson  
ROSANNA MALOUF PETERSON  
Chief United States District Court Judge